

U.S. Bankruptcy Court  
111 S Highland, Room 107  
Jackson, TN 38301  
Telephone: (731) 421-9300

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE**

**NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 11  
OF THE BANKRUPTCY CODE,  
MEETING OF CREDITORS, AND FIXING OF DATES  
(Corporation/Partnership Case)**

**Case Number: 09-11212 ghb**

Date Filed (or Converted): 3/23/09

**In re (NAME OF DEBTOR)**

**Optima University, LLC , 83-0505139**

**ADDRESS OF DEBTOR(s):**

1774 Hwy 22  
Mc Kenzie, TN 38201

**NAME/ADDRESS OF TRUSTEE**

Telephone Number:

**NAME/ADDRESS OF ATTORNEY FOR DEBTOR**

Steven Lee Lefkovitz  
Lefkovitz & Lefkovitz  
618 Church Street  
#410  
Nashville, TN 37219  
Telephone Number: 615-256-8300

**DATE/TIME/LOCATION OF MEETING OF CREDITORS**

April 15, 2009 01:30 PM  
109 South Highland, Room 102, Jackson, TN 38301

**DEADLINE TO FILE A PROOF OF CLAIM:**  
(See Explanation on Reverse Side)

For Creditors Other Than Governmental Units:  
For Governmental Units:

7/14/09  
9/21/09

☒ Corporation

☐ Partnership

**FAILURE OF THE DEBTOR OR THE ATTORNEY FOR THE DEBTOR TO APPEAR AT THE SECTION 341(a) MEETING OF CREDITORS OR FAILURE TO FILE THE SCHEDULES AND STATEMENT OF AFFAIRS WITHIN 15 DAYS AFTER THE ENTRY OF THE ORDER FOR RELIEF MAY RESULT IN A DISMISSAL OF THIS CASE WITHOUT FURTHER NOTICE.**

For the Court: Jed G. Weintraub  
Clerk of the Bankruptcy Court

3/24/09  
Date

**(SEE REVERSE SIDE)**

NOTICE IS FURTHER GIVEN THAT:

**COMMENCEMENT OF CASE.** A petition for reorganization under chapter 11 of the Bankruptcy Code ("Code") has been filed in this court by or against the debtor named on the reverse side, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property and debts, are available for inspection at the Office of the Clerk of the Bankruptcy Court.

**CREDITORS MAY NOT TAKE CERTAIN ACTIONS.** A creditor is anyone to whom the debtor owes money or property. Under the federal bankruptcy laws, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions or repossessions. If unauthorized actions are taken by a creditor against a debtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor should review Sec. 362 of the Code and may wish to seek legal advice. If the debtor is a partnership, remedies otherwise available against general partners are not necessarily affected by the commencement of this partnership case. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

**MEETING OF CREDITORS.** The debtor's representative, as specified in Fed. R. Bankr. P. 9001(a)(5), is required to appear at the meeting of creditors on the date and at the place set forth on the reverse side for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by oral notice at the meeting, without further written notice to creditors and other parties in interest.

**PURPOSE OF CHAPTER 11 FILING.** Chapter 11 of the Code enables a debtor to reorganize pursuant to a plan. A plan is not effective unless approved by the court at a confirmation hearing. Creditors will be given notice concerning any plan, or in the event the case is dismissed or converted to another chapter of the Code. The debtor will remain in possession of its property and will continue to operate any business unless a trustee is appointed.

**PROOF OF CLAIM:** Schedules of creditors and lists of equity security holders have been or will be filed pursuant to Fed. R. Bankr. P. 1007. Any creditor or equity security holder holding a scheduled claim or interest which is not listed as disputed, contingent, or unliquidated as to amount may, but is not required to, file a proof of claim in this case. Creditors or equity security holders whose claims or interests are not scheduled or whose claims or interests are listed as disputed, contingent, or unliquidated as to amount and who desire to participate in the case or share in any distribution must file their proofs of claim or interest. A creditor or equity security holder who desires to rely on the schedules of creditors or lists has the responsibility for determining that the claim or interest is listed accurately. The place to file a proof of claim or interest either in person or by mail, is the Office of the Clerk of the Bankruptcy Court. Proof of claim or interest forms are available in the clerk's office of any bankruptcy court.

**(SEE REVERSE SIDE)**

**FORM B10** (Official Form 10) (4/07)

|   |  |  |
|---|--|--|
| <b>UNITED STATES BANKRUPTCY COURT Western District of Tennessee</b>   |  | <b>PROOF OF CLAIM</b>  |
| Name of Debtor<br><b>Optima University, LLC</b>   | Case Number<br><b>09-11212</b>   | THIS SPACE IS FOR<br>COURT USE ONLY  |
| NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.   |  |  |
| Name of Creditor (The person or other entity to whom the debtor owes money or property):<br><br>Name and address where notices should be sent:<br><br><br>Telephone number:   | <input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.<br><input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case.<br><input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.  |  |
| Last four digits of account or other number by which creditor identifies debtor:  |  | Check here if this claim <input type="checkbox"/> replaces or <input type="checkbox"/> amends a previously filed claim, dated: _____ |
| <b>1. Basis for Claim</b><br><input type="checkbox"/> Goods sold<br><input type="checkbox"/> Services performed<br><input type="checkbox"/> Money loaned<br><input type="checkbox"/> Personal injury/wrongful death<br><input type="checkbox"/> Taxes<br><input type="checkbox"/> Other _____   |  |  |
| <input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a)<br><input type="checkbox"/> Wages, salaries, and compensation (fill out below)<br><br>Last four digits of SS # _____<br>Unpaid compensation for services performed from _____ (date) to _____ (date)  |  |  |
| <b>2. Date debt was incurred:</b> _____ <b>3. If court judgment, date obtained:</b> _____   |  |  |
| <b>4. Total Amount of Claim at Time Case Filed:</b> \$ _____ (unsecured) \$ _____ (secured) \$ _____ (priority) \$ _____ (total)<br>If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below.<br><input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.   |  |  |
| <b>5. Secured Claim.</b><br><br><input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff).<br>Brief Description of Collateral:<br><br><input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle<br><input type="checkbox"/> Other _____<br><br>Value of Collateral: \$ _____<br><br>Amount of arrearage and other charges <u>at time case filed</u> included in secured claim, if any: \$ _____  | <b>7. Unsecured Priority Claim.</b><br><br><input type="checkbox"/> Check this box if you have an unsecured priority claim all or part of which is entitled to priority. Amount entitled to priority \$ _____ Specify the priority of the claim:<br><input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).<br><input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950)* earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. § 507(a)(4).<br><input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507(a)(5).<br><input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507(a)(7).<br><input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507(a)(8).<br><input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507(a)(____).<br><br><small>*Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment. \$10,950 and 180-day limits apply to cases filed after 4/1/10. Pub. L. 109–8.</small> |  |
| <b>6. Unsecured Nonpriority Claim \$</b> _____<br><input type="checkbox"/> Check this box if: (a) there is no collateral or lien securing your claim, or (b) your claim exceeds the value of the property securing it, or if (c) none or only part of your claim is entitled to priority.   |  |  |
| <b>8. Credits:</b> The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.<br><b>9. Supporting Documents:</b> Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.<br><b>10. Date–Stamped Copy:</b> To receive an acknowledgment of the filing of your claim, <u>enclose a stamped, self-addressed envelope and copy of this proof of claim.</u><br>Date: _____ Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): _____ |  | THIS SPACE IS FOR<br>COURT USE ONLY  |
| <small>Penalty for presenting fraudulent claim: Fine of up to \$500.00 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 35 71.</small>  |  |  |

## INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

### ----- DEFINITIONS -----

**Debtor**

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

**Creditor**

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

**Proof of Claim**

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed

**Secured Claim**

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from the property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgement is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*.)

**Unsecured Claim**

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

**Unsecured Priority Claim**

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form.

### Items to be completed in Proof of Claim form (if not already filled in)

**Court, Name of Debtor, and Case Number:**

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

**Information about Creditor:**

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the last four digits of the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

**1. Basis for Claim:**

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in the last four digits of your social security number and the dates of work for which you were not paid.

**2. Date Debt Incurred:**

Fill in the date when the debt first was owed by the debtor.

**3. Court Judgments:**

If you have a court judgment for this debt, state the date the court entered the judgment.

**4. Total Amount of Claim at Time Case Filed:**

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

**5. Secured Claim:**

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

**6. Unsecured NonPriority Claim:**

Check the appropriate place if you have an unsecured nonpriority claim, sometimes referred to as a 'general unsecured claim'. If your claim is partly secured and partly unsecured, state here the amount that is unsecured. If part of your claim is entitled to priority, state here the amount **not** entitled to priority. State the total amount of the claim as of the date the bankruptcy case was filed.

**7. Unsecured Priority Claim:**

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above.) A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

**8. Credits:**

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

**9. Supporting Documents:**

You must attach to this proof of claim from copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

# Certificate of Service Page 5 of 5

## CERTIFICATE OF NOTICE

District/off: 0651-1  
Case: 09-11212

User: valeta  
Form ID: 11moccor

Page 1 of 1  
Total Served: 33

Date Rcvd: Mar 24, 2009

The following entities were served by first class mail on Mar 26, 2009.

db +Optima University, LLC, 1774 Hwy 22, Mc Kenzie, TN 38201-1102  
aty +Steven Lee Lefkovitz, Lefkovitz & Lefkovitz, 618 Church Street, #410,  
Nashville, TN 37219-2452  
29180291 +AUSA, Attn: Jimmy L. Croom, 109 S. Highland Ave., Room 300, Jackson, TN 38301-6145  
29179618 +All Temp Heating & Cooling, LLC, 17503 Highland Dr, Mc Kenzie, TN 38201-1659  
29179620 +Arnold's Hardware, Rental & Carpet, 16030 N Highland Dr, Mc Kenzie, TN 38201-2063  
29179622 +Bank of America, PO Box 17054, Wilmington, DE 19884-0001  
29179623 +Bank of Gleason, PO Box 697, Mc Kenzie, TN 38201-0697  
29179624 +Carroll County Lumber Co., Inc., 15955 Highland Dr, Mc Kenzie, TN 38201-2027  
29179625 +Education Resource Institute, 31 St James, Ste 950, Park Square Bldg, Boston, MA 02116-4109  
29179626 +HOME DEPOT, PO BOX 9100, DES MOINES IA 50368-0001  
29179627 +Hudson County Special, 595 Newark Ave, Jersey City, NJ 07306-2394  
29179630 +Jerry & Sharon Perry, c/o Scarbrough Realty, 20130 East Main, Huntingdon, TN 38344-4119  
29179631 +Jerry & Susan Perry, c/o Scarbrough Realty, 20130 East Main, Huntingdon, TN 38344-4119  
29179632 +Jones Telecommunications, 350 S Main St, PO Box 264, Dyer, TN 38330-0264  
29179633 +Lester & Mildred McCarty, Trustees, E.R. Braham, Jr. Trust, c/o Scarbrough Realty,  
20130 East Main, Huntingdon, TN 38344-4119  
29179634 +Lester Braham & Mildred McCarty, Trustees, E.R. Braham, Jr. Trust, c/o Scarbrough Realty,  
20130 East Main, Huntingdon, TN 38344-4119  
29179635 +New Century Financial Service, 110 South Jefferson Rd, Ste 104, Whippany, NJ 07981-1038  
29179636 +Palisades Collection, LLC, 210 Sylvan Ave, Englewood Cliffs, NJ 07632-2524  
29179637 +Reallinx, PO Box 840527, Dallas, TX 75284-0527  
29179638 +Sisson Transportation, Inc., c/o Beach Associates, Inc., 95 Wolf Creek Blvd, Ste 2,  
Dover, DE 19901-4965  
29179639 +Sprint, PO Box 8077, London, KY 40742-8077  
29180288 +TN Atty General's Office, Bankruptcy Unit, 425 5th Ave. North, 2nd Floor,  
Nashville, TN 37243-3400  
29179640 +TN DEPT LBR WRK FRC DEV, C/O TN ATTY GEN BK UNIT, PO BOX 20207, NASHVILLE, TN 37202-4015  
29179641 +TN DEPT REVENUE, C/O TN ATTY GEN BK UNIT, PO BOX 20207, NASHVILLE, TN 37202-4015  
29180290 +U.S. Attorney, c/o USDOJ Tax Division, P.O. Box 14198, Washington, DC 20044-4198  
29179642 +Union County Special, 2 Broad St, Elizabeth, NJ 07201-2202

The following entities were served by electronic transmission on Mar 25, 2009.

ust +E-mail/Text: ustpreregion08.me.ecf@usdoj.gov U.S. Trustee,  
Office of the U.S. Trustee, One Memphis Place, 200 Jefferson Avenue, Suite 400,  
Memphis, TN 38103-2383  
29179619 +EDI: AMEREXPR.COM Mar 24 2009 20:13:00 American Express, PO Box 1270,  
Newark, NJ 07101-1270  
29179621 +EDI: BANKAMER.COM Mar 24 2009 20:13:00 Bank of America, PO Box 15710,  
Wilmington, DE 19886-5710  
29179622 +EDI: BANKAMER2.COM Mar 24 2009 20:13:00 Bank of America, PO Box 17054,  
Wilmington, DE 19884-0001  
29179628 +E-mail/Text: BankruptcyNotices@hughes.com Hughes Network Systems,  
PO Box 96874, Chicago, IL 60693-0001  
29179629 EDI: IRS.COM Mar 24 2009 20:13:00 IRS, PO BOX 21126, PHILADELPHIA PA 19114  
29180289 EDI: IRS.COM Mar 24 2009 20:13:00 Internal Revenue Service, P.O. Box 21126,  
Philadelphia, PA 19114  
29179643 +EDI: AFNIVZWIRE.COM Mar 24 2009 20:13:00 Verizon Wireless, 1 Verizon Place,  
Alpharetta, GA 30004-8510

TOTAL: 8

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 26, 2009

Signature:

